



**Crl.O.P(MD)No.21220 of 2024**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 24.04.2025**

**CORAM**

**THE HONOURABLE MR.JUSTICE P. DHANABAL**

**Crl.O.P(MD)No.21220 of 2024  
and  
Crl.M.P(MD)No.13182 of 2024**

Asai Thambi,

... Petitioner

**Vs**

1. The State of Tamil Nadu,,  
Rep. by Sub-Inspector of Police,  
Theni Police Station,  
(Crime No. 149 of 2024).

2. V. Navaneethapandiyan,

... Respondents

**PRAYER:** Criminal Original petition has been filed under Section 528 of BNSS to call for the records in Crime No. 149 of 2024 on the file of 1st respondent police and quash the same against the Petitioner/Accused NO.1.

For Petitioner : Mr.Nishanth T.T

For R1 : Mr.M.Sakthi Kumar  
Government Advocate (Crl.Side)



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## **ORDER**

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This Criminal Original Petition has been filed seeking to quash the impugned FIR in Crime No.149 of 2024 on the file of the first respondent.

2.The learned Counsel for the petitioner would submit that based on the complaint lodged by the Election Officer against the petitioner, the first respondent registered the FIR in Crime No.149 of 2024 for the offence under Section 171(E) of IPC. The petitioner was not at all present at the scene of incident and the said FIR has been foisted against the petitioner with *malafide* intention. The video footage captured and preserved by the respondents does not show the presence of the petitioner. Therefore, it is highly improbable that such an act would be conducted in broad daylight that too during peak hours, especially when Flying Squads are actively monitoring the scene of occurrence. Therefore, a false case has been foisted against the petitioner and the impugned FIR is liable to be quashed.

3.The learned Government Advocate (Crl.Side) appearing for the

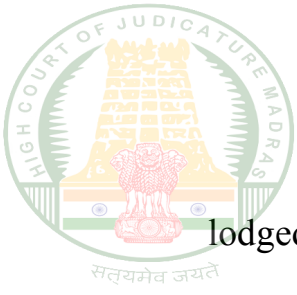


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respondent police would submit that based on the complaint lodged by the Election Officer against the petitioner before the first respondent, the FIR in Crime No.149 of 2024 has been registered for the offence under Section 171(E) of IPC and the same is pending investigation. Since the investigation is pending, at this stage, the FIR cannot be quashed and there are some materials as against the petitioner as per the FIR and the video footage. Therefore, it needs elaborate investigation. Hence, he prayed to dismiss this petition.

4.Heard both sides and perused the records.

5.In this case, based on complaint lodged by the second respondent against the petitioner before the first respondent, the case in Crime No.149 of 2024 has been registered for the offence under Section 171(E) IPC and the same is pending investigation. The allegations levelled against the petitioner is that on 24.03.2024, the petitioner obtained permission for campaign from 10.00 am to 11.00 am near Theni Bangalamedu. After meeting, he distributed a sum of Rs.200/- to the participants in the meeting and the same was captured in the video camera by Puthiyathalaimurai TV and therefore, the second respondent



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lodged the complaint.

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6.Considering the allegations levelled against the petitioner, this Court is of the opinion that the matter needs elaborate investigation and as per the FIR there are specific allegations against the petitioner. Therefore, at this stage, the FIR cannot be quashed and the case has no merits. Therefore, this petition deserves to be dismissed.

7.Accordingly, this criminal original petition is dismissed. Consequently, connected miscellaneous petition is closed.

**24.04.2025**

Internet:Yes  
Index :Yes/No  
NCC :Yes/No  
LR

To

1. The State of Tamil Nadu,,  
Rep. by Sub-Inspector of Police,  
Theni Police Station.

2.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

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**P. DHANABAL, J.**

LR

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**24.04.2025**